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ATTORNEY DOCKET NO. 14114.0376U1
PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Larry A. Lee

Application No. 10/815,111

Filing Date: March 31, 2004

For: "METHOD, APPARATUS, AND SYSTEM
FOR ASSESSING CONDITIONS"

Art Unit: 2857

Examiner: Patrick J. Assouad

Confirmation No. 6581

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.

Customer Number 23859

October 10, 2006

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. § 41.31 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 7, 2006 finally rejecting claims 1-10, 12-16, 19-27, 30-43 and 45-48.

The item(s) checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection:
(a) ☐ was obtained for [**NO. OF MONTHS EOT**] month(s).
(b) ☒ is requested herewith under 37 C.F.R. § 1.136.

2. Payment in the amount of \$_____ for the following fees is to be charged to a credit card and such payment is authorized by the signed, enclosed document entitled Credit Card Payment Form PTO-2038 to cover the following fees:

10/11/2006 MBINAS 00000016 10015111

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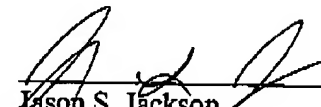
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APPLICATION NO. 10/815,111

- ☒ Appeal fee amount pursuant to 37 C.F.R. §41.20(b)(1) = \$500.00.
- ☐ Extension of time fee amount pursuant to 37 C.F.R. §1.17(a)(***) = \$_____ - three month extension of time fee minus the \$_____ two-month extension of time fee submitted on ***** = \$_____.
3. ☐ Enclosed is a Pre-Appeal Brief Request for Review and _____ sheets of reasons.

The amount authorized in PTO-2038 is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

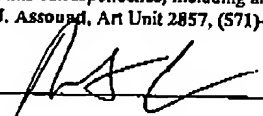
NEEDLE & ROSENBERG, P.C.


Jason S. Jackson
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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via facsimile transmission to:
Examiner Patrick J. Assouad, Art Unit 2857, (571)-273-8300, on the date indicated below.


Monick Lewis

Date

10/10/06